

FILED

1 Olivia F. Gonzales  
2 olivia.gonzales.us@member.mensa.org  
3 2424 West Grand Ave Apt D  
4 Alhambra, CA 91801  
5 (714) 504-6606

6 In Pro Per

2016 JUN -3 PM 3:51  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES  
RY: WJ

10 SUPERIOR COURT OF CALIFORNIA  
11 Central District of California

14 Olivia F. Gonzales,  
15 Plaintiff

16 vs.

17 Caremore Health Plan,  
18 Defendant

) Case No.: CV 15-1499 ODW (FFMx)  
)  
) NOTICE OF MOTION AND MOTION;  
) MEMORANDUM OF POINTS AND  
) AUTHORITIES; and DECLARATION  
) OF OLIVIA GONZALES IN SUPPORT  
) OF MOTION TO COMPEL  
) RESPONSES TO REQUESTS FOR  
) PRODUCTION OF DOCUMENTS,  
) SET 1 AND MONETARY SANCTION  
)  
)  
)  
Date: ~~June 24, 2016~~ JULY 5, 2016  
Dept. Department 53 ROY BAL  
Time: ~~2:00 p.m.~~ 10:00 AM

1 To Caremore Health Plan and to its attorney of record Young, Zinn & Bates, LLP:  
2

3 NOTICE IS HEREBY GIVEN that on ~~June 21, 2016~~ <sup>JULY 5, 2015</sup> or as soon thereafter as the  
4 matter may be heard, in ~~Department 5312~~ <sup>ROYBAL</sup> this court, located at 312 North Spring  
5 Street, Los Angeles, CA 90012, the Plaintiff Olivia Gonzales will, and hereby does,  
6 move for an order compelling Caremore Health Plan, to serve a response to the  
7 Plaintiff's Requests for Production of Documents, set 1, which she served on  
8 Defendant on January 12, 2016 , and will further move this court for an order requiring  
9 Defendant Caremore Health Plan, to pay a monetary sanction to Plaintiff. The motion  
10 will be made on the grounds that Defendant has failed to serve a timely response to the  
11 above-described Requests for Production of Documents.  
12

13 The motion will be based on this notice of motion, on the declaration of Olivia  
14 Gonzales and the memorandum set forth below, on the records and file herein, and on  
15 such evidence as may be presented at the hearing of the motion.  
16

17  
18 Dated: May 24, 2016  
19

20 By: \_\_\_\_\_  
21

22 Olivia F. Gonzales  
23 Plaintiff, In Pro Per  
24  
25  
26  
27  
28

1 MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT FOR ORDER  
2 COMPELLING RESPONSES TO REQUEST FOR PRODUCTION AND FOR  
3 MONETARY SANCTIONS

4

5 DEFENDANT CAREMORE HEALTH PLAN HAS FAILED TO SERVE A TIMELY  
6 RESPONSE TO PLAINTIFF OLIVIA F. GONZALES' DEMAND FOR  
7 PRODUCTION OF DOCUMENTS, SET 1, AND THUS THE COURT SHOULD  
8 MAKE AN ORDER COMPELLING A RESPONSE AND IMPOSING A  
9 MONETARY SANCTION FOR THE FAILURE TO RESPOND.

10

11 **A. Party May Move for Order Compelling Response and for Monetary Sanction.**

12 When a party makes an inspection demand under Section 2031.010 of the Code of  
13 Civil Procedure and the party to whom the demand is directed fails to respond, the  
14 demanding party may move for an order compelling response and for a monetary  
15 sanction under Section 2031.300 of the Code of Civil Procedure ( Code Civ. Proc. §  
16 2031.300).

17

18 **B. Waiver of Objection to Demand.** When the party to whom an inspection demand  
19 has been directed fails to serve a timely response to it, that party waives any objection  
20 to the demand, including one based on privilege or on the protection for work product  
21 under Section 2031.300(a) of the Code of Civil Procedure ( Code Civ. Proc. §  
22 2031.300(a)).

23

24 **C. Court Must Impose Monetary Sanction Absent Specified Findings.** The court  
25 must impose a monetary sanction under Section 2031.300 of the Code of Civil  
26 Procedure against any party, person, or attorney who unsuccessfully opposes a motion  
27 to compel a response to an inspection demand, unless it finds that the one subject to the

1 sanction acted with substantial justification or that other circumstances make the  
2 imposition of the sanction unjust (Code Civ. Proc. §§ 2023.030(a), 2031.300(c)).  
3

4 **D. Court May Impose Sanctions Despite Lack of Opposition to Motion to Compel**  
5 **Discovery.** The court may award sanctions under the Discovery Act in favor of a party  
6 who files a motion to compel discovery, even though no opposition to the motion was  
7 filed, or opposition to the motion was withdrawn, or the requested discovery was  
8 provided to the moving party after the motion was filed (Cal. Rules of Ct., Rule  
9 3.1030(a)).  
10

11 Dated: May 24, 2016  
12

13 By: \_\_\_\_\_  
14

15 Olivia F. Gonzales  
16 Plaintiff, In Pro Per  
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1  
2       DECLARATION OF OLIVIA GONZALES IN SUPPORT FOR ORDER  
3       COMPELLING RESPONSES TO DISCOVERY REQUESTS AND FOR  
4       MONETARY SANCTIONS  
5  
6

7       I, Olivia Gonzales, declare:  
8  
9

10      1. I am the Movant in the above entitled action.  
11  
12      2. The complaint is Discrimination, Harassment and Wrongful Termination  
13  
14      3. On January 12, 2016 I served my Requests for Production of Documents, Set  
15     1, on the Defendant Caremore Health Plan.  
16  
17      4. Plaintiff intends to prove that the Management in Caremore intentionally  
18     harassed and discriminated the Plaintiff so they can hire and promote Indian Nationals.  
19  
20      5. Plaintiff requested for documents and other materials, dated before and after  
21     the hiring of the Indian National.  
22  
23      6. Defendant's responses to my Requests for Production of Documents, Set 1,  
24     were evasive and did not produce a single document out of 17 requests. Attached  
25     Exhibit A.  
26  
27      7. On April 19, 2016 after my deposition, I personally met and conferred with  
28     Karen J. Pazzani of Young, Zinn & Bate.

8. On April 23, 2016, I mailed a summary of what was discussed during the meet and confer with Karen Pazzani, see Exhibit B.

9. As of this date, I have not received a single document from the Defendant for the 17 requests I made.

10. I ask that the court award sanctions of \$1,520.00. I base my request for the imposition of a sanction on basis that it took me 40 hours to research and prepare the instant motion. My hourly wage is \$38 per hour times 40 hours equals \$1,520. In addition, the motion filing fee for this motion was \$60.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: May 24, 2016

By:

## Olivia Gonzales

Movant/Plaintiff, In Pro Per

1 HARRY A. ZINN (State Bar No. 116397)  
2 [hzinn@yzblaw.com](mailto:hzinn@yzblaw.com)  
3 KAREN J. PAZZANI (State Bar No. 252133)  
4 [kpazzani@yzblaw.com](mailto:kpazzani@yzblaw.com)  
5 YOUNG, ZINN & BATE LLP  
6 888 South Figueroa Street, Fifteenth Floor  
Los Angeles, California 90017  
Telephone: (213) 362-1860  
Facsimile: (213) 362-1861

8 Attorneys for Defendant  
CAREMORE HEALTH PLAN, INC.

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

Olivia F. Gonzales,

Case No. CV 15-1499 ODW (FFMx)

Plaintiff,

vs.

## Caremore Health Plan, Inc.

**DEFENDANT CAREMORE  
HEALTH PLAN, INC.'S  
OBJECTIONS AND RESPONSES TO  
PLAINTIFF OLIVIA F. GONZALES'  
REQUEST FOR PRODUCTION OF  
DOCUMENTS AND/OR THINGS,  
SET ONE**

Complaint Filed: March 2, 2015

RESPONDING PARTY: Defendant CareMore Health Plan, Inc.

PROPOUNDING PARTY: Plaintiff Olivia F. Gonzales

SET NUMBER: One

DEFENDANT'S RESPONSES TO PLAINTIFF'S REQUEST FOR PRODUCTION OF  
DOCUMENTS, SET ONE

**TO PLAINTIFF OLIVIA F. GONZALES, IN PRO PER:**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, defendant CareMore Health Plan, Inc. (“CareMore”) hereby objects and responds to plaintiff Olivia F. Gonzales’ (“Plaintiff”) Request for Production of Documents and/or Things (Set No. One) (“Request” or “Requests”).

## PRELIMINARY STATEMENT AND GENERAL OBJECTIONS

1. These responses are made solely for the purpose of this action. Each response is given subject to the objections set forth below including, but not limited to, objections concerning relevancy, materiality, propriety, and admissibility. All such objections are reserved and may be interposed at the time of trial.

2. CareMore has not completed its investigation or analysis of the facts relating to this action and has not yet completed preparation for trial. Accordingly, the following objections and responses are given without prejudice to CareMore's right to produce, disclose, or use, at a later date, subsequently discovered evidence. CareMore further reserves the right to amend or supplement these responses at any time.

3. CareMore objects to each Request to the extent it seeks documents protected by the attorney-client privilege, the attorney work product doctrine, or any other privilege, immunity, or protection available under the law. CareMore will not produce any documents so protected. CareMore does not intend by these responses or objections to waive any claim of privilege or immunity.

4. CareMore further objects to each Request to the extent that it seeks documents that are equally available to Plaintiff on the grounds of burden and oppression.

5. CareMore further objects to each Request to the extent that the Request seeks documents not within CareMore's possession, custody, or control.

1       6. CareMore further objects to each Request to the extent that the Request  
2    seeks to impose on CareMore any obligation beyond those required by the Federal  
3    Rules of Civil Procedure and/or the local rules of this Court, and on the grounds that  
4    the documents requested are not relevant to any party's claims or defenses, not  
5    relevant to the subject matter of this action, and not reasonably calculated to lead to  
6    the discovery of admissible evidence.

7       7. CareMore further objects to the Requests to the extent the Definitions  
8    and Instructions, including the "Storage Medium" instruction, seeks to impose on  
9    CareMore any obligation to produce documents in a format other than the format  
10   described in the parties' Joint Report Following Fed.R.Civ.P 26(f) Conference  
11   dated January 19, 2016.

12       8. CareMore objects and responds to each Request on the basis of  
13    CareMore's understanding and interpretation of the specific Request. If Plaintiff  
14    understands or interprets any of the Requests differently, CareMore reserves the  
15    right to supplement any of these responses, either with additional objections or  
16    otherwise.

17       CareMore hereby incorporates the Preliminary Statement and General  
18    Objections into each of the following specific objections.

YOUNG, ZINN & BATE LLP  
888 SOUTH FIGUEROA STREET, FIFTEENTH FLOOR  
LOS ANGELES, CALIFORNIA 90017

20       **OBJECTIONS AND RESPONSES TO DOCUMENT REQUESTS**

21       **REQUEST FOR PRODUCTION NO. 1:**

22       Any and all DOCUMENTS constituting, discussing, or otherwise pertaining  
23    to correspondence or other written or oral COMMUNICATIONS between  
24    CAREMORE and the EEOC that relate or pertain to (a) Plaintiff employment with  
25    DEFENDANT or its termination; (b) any alleged wrongful conduct on the part of  
26    DEFENDANT; and/or (c) any and all other matters encompassed by the Defendant.

27       **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

28       CareMore objects to this Request on the grounds that it is overbroad as to

1 time and scope. CareMore further objects to this Request on the grounds that it is  
2 vague, ambiguous, and unintelligible as to the meaning of the phrase "any and all  
3 other matters encompassed by the Defendant." CareMore further objects to this  
4 Request on the grounds that it seeks documents that are not relevant to any party's  
5 claims or defenses, not relevant to the subject matter of this action, and not  
6 reasonably calculated to lead to the discovery of admissible evidence. CareMore  
7 further objects to this Request to the extent that it seeks documents, the disclosure of  
8 which would constitute an unwarranted invasion of the affected persons' federal and  
9 state constitutional, statutory, and common law rights of privacy and confidentiality.  
10 CareMore further objects to this Request to the extent it seeks documents protected  
11 by the attorney-client privilege and/or work product doctrine.

12 Subject to and without in any way waiving the foregoing objections, and to  
13 the extent CareMore understands this Request, CareMore responds by producing the  
14 July 2, 2014 letter and attachments thereto.

15

16 **REQUEST FOR PRODUCTION NO. 2:**

17 Any and all DOCUMENTS, including, but not limited to, names, addresses,  
18 recordings, letters, tests and test results, interview questions, notes, e-mails,  
19 resumes, references and/or instant messages, that evidence and/or relate or pertain to  
20 the rejection of other applicants whose national origin is not India for the position  
21 given to Yugandar Chaparala or to any Indian National.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

23 CareMore objects to this Request on the grounds that it is grossly overbroad  
24 and unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
25 CareMore further objects to this Request on the grounds that it is vague, ambiguous,  
26 and overbroad as to its definition of the term "Indian National" and as to the phrase  
27 "the position given to Yugandar Chaparala." CareMore further objects to this  
28 Request on the grounds that it seeks documents that are not relevant to any party's

1 claims or defenses, not relevant to the subject matter of this action, and not  
2 reasonably calculated to lead to the discovery of admissible evidence. CareMore  
3 further objects to the Request to the extent that it seeks documents, the disclosure of  
4 which would constitute an unwarranted invasion of the affected persons' federal and  
5 state constitutional, statutory, and common law rights of privacy and confidentiality.  
6 CareMore further objects to this Request to the extent it seeks documents protected  
7 by the attorney-client privilege and/or work product doctrine. CareMore further  
8 objects to this Request to the extent that it seeks documents not within CareMore's  
9 possession, custody, or control. CareMore does not inquire into the national origin  
10 of its employees or applicants and does not consider a person's national origin in  
11 making personnel decisions.

12

13 **REQUEST FOR PRODUCTION NO. 3:**

14 Any and all DOCUMENTS which evidence, refer to, relate to, or otherwise  
15 pertain to the employment of Indian Nationals and Felix Orito, by DEFENDANT,  
16 including, but not limited to:

17

18 (a) DOCUMENTS relating to their initial hiring or rehiring, including  
19 Resumes, interview, test and test results and/or other records of employment history;  
20 job applications and related documentation; references regarding their character  
21 and/or work performance; work status (H1b, OPT, legal Resident, et.al) negotiations  
22 regarding any aspect of employment; offers of employment; terms, benefits and  
23 conditions of employment; employment contracts, if any; and job title and/or status;

24

25 (b) DOCUMENTS relating to their job classification(s), including requests  
26 for changes in job title and /or status; changes in job title and/or status; promotions  
27 and/or transfers; requests for promotion and/or transfer; responses to requests for  
28 promotion and/or transfer; job requirements; job assignments, responsibilities,

1 and/or duties; requests for job assignments, responsibilities, and/pr duties; and  
2 responses to requests for job assignments, responsibilities, and/or duties;

3

4 (c) DOCUMENTS relating to rates of pay, salary, wages, earnings,  
5 detailed timesheets, compensation, commissions, bonuses, or any other form of  
6 income or remuneration; changes in rate of pay, salary, wages, earnings,  
7 compensation, commissions, bonuses, or in any other form of income or  
8 remuneration; offers of benefits to be paid for (in whole or in part) or provided by  
9 DEFENDANT, regardless of whether those benefits were actually obtained.;  
10 benefits statements; insurance-related DOCUMENTS; pension rights and benefits;  
11 and/or seniority; and

12

13 (d) DOCUMENTS relating to any threatened, potential, or actual  
14 termination and/or other disciplinary action or separation from employment.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

16 CareMore objects to this Request on the grounds that it is grossly overbroad  
17 and unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
18 CareMore further objects to this Request on the grounds that it is vague, ambiguous,  
19 and overbroad as to its definition of the term "Indian National." CareMore further  
20 objects to this Request on the grounds that it seeks documents that are not relevant  
21 to any party's claims or defenses, not relevant to the subject matter of this action,  
22 and not reasonably calculated to lead to the discovery of admissible evidence.  
23 CareMore further objects to the Request to the extent that it seeks documents, the  
24 disclosure of which would constitute an unwarranted invasion of the affected  
25 persons' federal and state constitutional, statutory, and common law rights of  
26 privacy and confidentiality. CareMore further objects to this Request to the extent it  
27 seeks documents protected by the attorney-client privilege and/or work product  
28 doctrine. CareMore further objects to this Request to the extent that it seeks

1 documents not within CareMore's possession, custody, or control. CareMore does  
2 not inquire into the national origin of its employees or applicants and does not  
3 consider a person's national origin in making personnel decisions.

4

5 **REQUEST FOR PRODUCTION NO. 4:**

6 Any and all DOCUMENTS which evidence, relate to, comprise, or otherwise  
7 pertain to DEFENDANT's assessment of all employees, job performance, work  
8 conduct, and/or behavior, including,

9 (a) Performance evaluations, reviews, formal or informal  
10 COMMUNICATIONS with CAREMORE about their performance, conduct,  
11 and/or behavior;  
12 (b) Complaints about their performance, conduct, and/or behavior;  
13 (c) Investigations of employees conduct, behavior, and/or job performance;  
14 and  
15 (d) Formal and/or informal warnings to, reprimands of, and/or discipline of  
16 employees.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

18 CareMore objects to this Request on the grounds that it is grossly overbroad  
19 and unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
20 CareMore further objects to this Request on the grounds that it seeks documents that  
21 are not relevant to any party's claims or defenses, not relevant to the subject matter  
22 of this action, and not reasonably calculated to lead to the discovery of admissible  
23 evidence. CareMore further objects to the Request to the extent that it seeks  
24 documents, the disclosure of which would constitute an unwarranted invasion of the  
25 affected persons' federal and state constitutional, statutory, and common law rights  
26 of privacy and confidentiality. CareMore further objects to this Request to the  
27 extent it seeks documents protected by the attorney-client privilege and/or work  
28

1 product doctrine. CareMore further objects to this Request to the extent that it seeks  
2 documents not within CareMore's possession, custody, or control.

3

4 **REQUEST FOR PRODUCTION NO. 5:**

5 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
6 notes, e-mails, project updates, and/or instant messages, from January 1, 2012 to  
7 present, that evidence and/or relate or pertain to Saurin Mehta's communication  
8 with Defendant, its employees and contractors and with Cognizant and Cognizant's  
9 employees.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

11 CareMore objects to this Request on the grounds that it is overbroad and  
12 unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
13 CareMore further objects to this Request on the grounds that it seeks documents that  
14 are not relevant to any party's claims or defenses, not relevant to the subject matter  
15 of this action, and not reasonably calculated to lead to the discovery of admissible  
16 evidence. CareMore further objects to this Request to the extent that it seeks  
17 documents, the disclosure of which would constitute an unwarranted invasion of the  
18 affected persons' federal and state constitutional, statutory, and common law rights  
19 of privacy and confidentiality. CareMore further objects to this Request to the  
20 extent it seeks documents protected by the attorney-client privilege and/or work  
21 product doctrine. CareMore further objects to this Request to the extent that it seeks  
22 documents not within CareMore's possession, custody, or control.

23

24 **REQUEST FOR PRODUCTION NO. 6:**

25 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
26 notes, e-mails, project updates, and/or instant messages, from January 1, 2012 to  
27 present, that evidence and/or relate or pertain to Yugandar Chaparala's

1 communication with Defendant, its employees and contractors with Cognizant and  
2 Cognizant's employees.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

4 CareMore objects to this Request on the grounds that it is overbroad and  
5 unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
6 CareMore further objects to this Request on the grounds that it seeks documents that  
7 are not relevant to any party's claims or defenses, not relevant to the subject matter  
8 of this action, and not reasonably calculated to lead to the discovery of admissible  
9 evidence. CareMore further objects to this Request to the extent that it seeks  
10 documents, the disclosure of which would constitute an unwarranted invasion of the  
11 affected persons' federal and state constitutional, statutory, and common law rights  
12 of privacy and confidentiality. CareMore further objects to this Request to the  
13 extent it seeks documents protected by the attorney-client privilege and/or work  
14 product doctrine. CareMore further objects to this Request to the extent that it seeks  
15 documents not within CareMore's possession, custody, or control.

16

17 **REQUEST FOR PRODUCTION NO. 7:**

18 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
19 notes, e-mails, project updates, and/or instant messages, from January 1, 2012 to  
20 present, that evidence and/or relate or pertain to Felix Orito's communication with  
21 Defendant, its employees and contractors and with Cognizant and Cognizant's  
22 employees.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

24 CareMore objects to this Request on the grounds that it is overbroad and  
25 unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
26 CareMore further objects to this Request on the grounds that it seeks documents that  
27 are not relevant to any party's claims or defenses, not relevant to the subject matter  
28 of this action, and not reasonably calculated to lead to the discovery of admissible

1 evidence. CareMore further objects to this Request to the extent that it seeks  
 2 documents, the disclosure of which would constitute an unwarranted invasion of the  
 3 affected persons' federal and state constitutional, statutory, and common law rights  
 4 of privacy and confidentiality. CareMore further objects to this Request to the  
 5 extent it seeks documents protected by the attorney-client privilege and/or work  
 6 product doctrine. CareMore further objects to this Request to the extent that it seeks  
 7 documents not within CareMore's possession, custody, or control.

8

9 **REQUEST FOR PRODUCTION NO. 8:**

10 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
 11 notes, e-mails, project updates, and/or instant messages, from January 1, 2012 to  
 12 present, that evidence and/or relate or pertain to James Tahvili's communication  
 13 with Defendant, its employees and contractors and with Cognizant and Cognizant's  
 14 employees.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

16 CareMore objects to this Request on the grounds that it is overbroad and  
 17 unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
 18 CareMore further objects to this Request on the grounds that it seeks documents that  
 19 are not relevant to any party's claims or defenses, not relevant to the subject matter  
 20 of this action, and not reasonably calculated to lead to the discovery of admissible  
 21 evidence. CareMore further objects to this Request to the extent that it seeks  
 22 documents, the disclosure of which would constitute an unwarranted invasion of the  
 23 affected persons' federal and state constitutional, statutory, and common law rights  
 24 of privacy and confidentiality. CareMore further objects to this Request to the  
 25 extent it seeks documents protected by the attorney-client privilege and/or work  
 26 product doctrine. CareMore further objects to this Request to the extent that it seeks  
 27 documents not within CareMore's possession, custody, or control.

28

1 **REQUEST FOR PRODUCTION NO. 9:**

2 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
3 notes, e-mails, project updates, and/or instant messages, from January 1, 2012 to  
4 present, that evidence and/or relate or pertain to Venu Lingamaneni's  
5 communication with Defendant, its employees and contractors and with Cognizant  
6 and Cognizant's employees.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

8 CareMore objects to this Request on the grounds that it is overbroad and  
9 unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
10 CareMore further objects to this Request on the grounds that it seeks documents that  
11 are not relevant to any party's claims or defenses, not relevant to the subject matter  
12 of this action, and not reasonably calculated to lead to the discovery of admissible  
13 evidence. CareMore further objects to this Request to the extent that it seeks  
14 documents, the disclosure of which would constitute an unwarranted invasion of the  
15 affected persons' federal and state constitutional, statutory, and common law rights  
16 of privacy and confidentiality. CareMore further objects to this Request to the extent  
17 it seeks documents protected by the attorney-client privilege and/or work  
18 product doctrine. CareMore further objects to this Request to the extent that it seeks  
19 documents not within CareMore's possession, custody, or control.

20  
21 **REQUEST FOR PRODUCTION NO. 10:**

22 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
23 notes, e-mails, project updates, and/or instant messages, from January 1, 2012 to  
24 present, that evidence and/or relate or pertain to any director's, officer's, managing  
25 agent's, contracting agent's communication.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

27 CareMore objects to this Request on the grounds that it is grossly overbroad  
28 and unduly burdensome, and has been propounded to vex, annoy, and/or harass.

1 CareMore further objects to this Request on the grounds that it is vague, ambiguous,  
2 and unintelligible. CareMore further objects to this Request on the grounds that it  
3 seeks documents that are not relevant to any party's claims or defenses, not relevant  
4 to the subject matter of this action, and not reasonably calculated to lead to the  
5 discovery of admissible evidence. CareMore further objects to this Request to the  
6 extent that it seeks documents, the disclosure of which would constitute an  
7 unwarranted invasion of the affected persons' federal and state constitutional,  
8 statutory, and common law rights of privacy and confidentiality. CareMore further  
9 objects to this Request to the extent it seeks documents protected by the attorney-  
10 client privilege and/or work product doctrine. CareMore further objects to this  
11 Request to the extent that it seeks documents not within CareMore's possession,  
12 custody, or control.

13

14 **REQUEST FOR PRODUCTION NO. 11:**

15 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
16 notes, e-mails, project updates, and/or instant messages, from January 1, 2012 to  
17 present, that evidence and/or relate or pertain to Maritza Mega's communication  
18 with Defendant, its employees and contractors and with Cognizant and Cognizant's  
19 employees.

20

**RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

21 CareMore objects to this Request on the grounds that it is overbroad and  
22 unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
23 CareMore further objects to this Request on the grounds that it seeks documents that  
24 are not relevant to any party's claims or defenses, not relevant to the subject matter  
25 of this action, and not reasonably calculated to lead to the discovery of admissible  
26 evidence. CareMore further objects to this Request to the extent that it seeks  
27 documents, the disclosure of which would constitute an unwarranted invasion of the  
28 affected persons' federal and state constitutional, statutory, and common law rights

1 of privacy and confidentiality. CareMore further objects to this Request to the  
2 extent it seeks documents protected by the attorney-client privilege and/or work  
3 product doctrine. CareMore further objects to this Request to the extent that it seeks  
4 documents not within CareMore's possession, custody, or control.

5

6 **REQUEST FOR PRODUCTION NO. 12:**

7 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
8 notes, e-mails, project updates, and/or instant messages, from January 1, 2012 to  
9 present, that evidence and/or relate or pertain to James Nash's communication with  
10 Defendant, its employees and contractors and with Cognizant and Cognizant's  
11 employees.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

13 CareMore objects to this Request on the grounds that it is overbroad and  
14 unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
15 CareMore further objects to this Request on the grounds that it seeks documents that  
16 are not relevant to any party's claims or defenses, not relevant to the subject matter  
17 of this action, and not reasonably calculated to lead to the discovery of admissible  
18 evidence. CareMore further objects to this Request to the extent that it seeks  
19 documents, the disclosure of which would constitute an unwarranted invasion of the  
20 affected persons' federal and state constitutional, statutory, and common law rights  
21 of privacy and confidentiality. CareMore further objects to this Request to the extent it seeks  
22 documents protected by the attorney-client privilege and/or work  
23 product doctrine. CareMore further objects to this Request to the extent that it seeks  
24 documents not within CareMore's possession, custody, or control.

25

26 **REQUEST FOR PRODUCTION NO. 13:**

27 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
28 notes, e-mails, project updates, and/or instant messages, from January 1, 2012 to

1 present, that evidence and/or relate or pertain to Jamie Myer's communication with  
 2 Defendant, its employees and contractors and with Cognizant and Cognizant's  
 3 employees.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

5 CareMore objects to this Request on the grounds that it is overbroad and  
 6 unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
 7 CareMore further objects to this Request on the grounds that it seeks documents that  
 8 are not relevant to any party's claims or defenses, not relevant to the subject matter  
 9 of this action, and not reasonably calculated to lead to the discovery of admissible  
 10 evidence. CareMore further objects to this Request to the extent that it seeks  
 11 documents, the disclosure of which would constitute an unwarranted invasion of the  
 12 affected persons' federal and state constitutional, statutory, and common law rights  
 13 of privacy and confidentiality. CareMore further objects to this Request to the extent  
 14 it seeks documents protected by the attorney-client privilege and/or work  
 15 product doctrine. CareMore further objects to this Request to the extent that it seeks  
 16 documents not within CareMore's possession, custody, or control.

17

18 **REQUEST FOR PRODUCTION NO. 14:**

19 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
 20 notes, e-mails, project updates, and/or instant messages, from January 1, 2012 to  
 21 present, that evidence and/or relate or pertain to Rajan Shah's communication with  
 22 Defendant, its employees and contractors and with Cognizant and Cognizant's  
 23 employees.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

25 CareMore objects to this Request on the grounds that it is overbroad and  
 26 unduly burdensome, and has been propounded to vex, annoy, and/or harass.  
 27 CareMore further objects to this Request on the grounds that it seeks documents that  
 28 are not relevant to any party's claims or defenses, not relevant to the subject matter

1 of this action, and not reasonably calculated to lead to the discovery of admissible  
 2 evidence. CareMore further objects to this Request to the extent that it seeks  
 3 documents, the disclosure of which would constitute an unwarranted invasion of the  
 4 affected persons' federal and state constitutional, statutory, and common law rights  
 5 of privacy and confidentiality. CareMore further objects to this Request to the  
 6 extent it seeks documents protected by the attorney-client privilege and/or work  
 7 product doctrine. CareMore further objects to this Request to the extent that it seeks  
 8 documents not within CareMore's possession, custody, or control.

9

10 **REQUEST FOR PRODUCTION NO. 15:**

11 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
 12 notes, e-mails, project updates, and/or instant message, that evidence and/or relate or  
 13 pertain to Venu Lingamaneni's statement that Plaintiff can read his private chats.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

15 CareMore objects to this Request on the grounds that it is overbroad as to  
 16 time and scope. CareMore further objects to this Request on the grounds that it is  
 17 vague and ambiguous and assumes facts that have not been established. CareMore  
 18 further objects to this Request to the extent it seeks documents protected by the  
 19 attorney-client privilege and/or work product doctrine.

20 Subject to and without in any way waiving the foregoing objections, and to  
 21 the extent CareMore understands this Request, CareMore responds by producing  
 22 Venu Lingamaneni's September 6, 2013 email to Jamie Myers regarding his belief  
 23 that Plaintiff was reading his Microsoft Live communications with Saurin Mehta.

24

25 **REQUEST FOR PRODUCTION NO. 16:**

26 Correct and Original copy of the Performance Improvement Plan. The copy  
 27 of the plan that was provided in the Defendant's initial disclosure is not from correct  
 28 and original copy.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

2 CareMore objects to this Request on the grounds that it is vague and  
3 ambiguous and assumes facts that have not been established.

4 Subject to and without in any way waiving the foregoing objections, and to  
5 the extent CareMore understands this Request, CareMore responds that it has  
6 produced a true and correct copy of the Performance Improvement Plan signed by  
7 Plaintiff on February 15, 2013.

8

9 **REQUEST FOR PRODUCTION NO. 17:**

10 Any and all DOCUMENTS, including, but not limited to, recordings, letters,  
11 notes, e-mails, financial statements, and/or instant messages, that pertain to  
12 Caremore's contract with Medicare and Medicaid.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

14 CareMore objects to this Request on the grounds that it is grossly overbroad  
15 and unduly burdensome as to time and otherwise, and has been propounded to vex,  
16 annoy, and/or harass. CareMore further objects to this Request on the grounds that  
17 it seeks documents that are not relevant to any party's claims or defenses, not  
18 relevant to the subject matter of this action, and not reasonably calculated to lead to  
19 the discovery of admissible evidence. CareMore further objects to this Request to  
20 the extent that it seeks documents, the disclosure of which would constitute an  
21 unwarranted invasion of the affected persons' federal and state constitutional,  
22 statutory, and common law rights of privacy and confidentiality. CareMore further  
23 objects to this Request to the extent it seeks documents protected by the attorney-  
24 client privilege and/or work product doctrine.

25  
26  
27  
28

YOUNG, ZINN & BATE LLP  
888 SOUTH FIGUEROA STREET, FIFTEENTH FLOOR  
LOS ANGELES, CALIFORNIA 90017

1 DATED: February 16, 2016

2 HARRY A. ZINN  
3 KAREN J. PAZZANI  
4 YOUNG, ZINN & BATE LLP

5 By: 

6 KAREN J. PAZZANI  
7 Attorneys for Defendant  
8 CareMore Health Plan, Inc.

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YOUNG, ZINN & BATE LLP  
888 SOUTH FIGUEROA STREET, FIFTEENTH FLOOR  
LOS ANGELES, CALIFORNIA 90017

**PROOF OF SERVICE**

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of 18 and not a party to the within action. My business address is 888 S. Figueroa Street, 15<sup>th</sup> Floor, Los Angeles, California 90017.

On February 16, 2016, I caused to be served the foregoing documents described as **DEFENDANT CAREMORE HEALTH PLAN, INC.'S RESPONSES TO PLAINTIFF OLIVIA F. GONZALES' REQUEST FOR PRODUCTION OF DOCUMENTS AND/OR THINGS, SET ONE** on the interested parties in this action by sending a true copy thereof to:

Olivia F. Gonzales, In Pro Per  
2424 W. Grand Avenue, Apt. D  
Alhambra, CA 91801

Olivia F. Gonzales, In Pro Per  
3508 W. Mungall Dr.  
Anaheim, CA 92804

**BY U.S. MAIL** as follows: I am "readily familiar" with Young, Zinn & Bate LLP's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of party served, service shall be presumed invalid if postal cancellation date or postage meter is more than one (1) day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on February 16, 2016, at Los Angeles, California.

Jessica Alvarez

April 23, 2016

Harry A.Zinn

Karen J. Pazzani

Young, Zinn & Bate LLP

888 South Figueroa Street, Fifteenth Floor,

Los Angeles, California 90017

Telephone ( 213) 362 -1860

Re: Olivia Gonzales vs. Caremore Health Plan

Dear Mr. Zinn, Miss Pazzani:

Thank you for meeting with me regarding discovery issues resulting from Plaintiff's First Request for production of Documents and First Set of Interrogatories.

I intend to file a motion to compel defendant to respond to my discovery. As you know, Local Rule 37-1 requires the parties to confer in person regarding all discovery issues prior to filing a motion. I am listing the issues as discussed in our meeting on April 19, 2016.

These are the issues we need to resolve:

On January 12, 2016 Plaintiff served Defendant with Plaintiff's First Request for Production of Documents. Defendants responded on February 16, 2016 by

producing NONE of the documents out of 17 requests. And by stating numerous unfounded objections. The following list outlines your objections and my position on your objections.

1. With respect to request for Production No. 1, where Plaintiff requested “EEOC file regarding Plaintiff”, you indicated in your response that “Caremore objects to this request on the grounds that it is overbroad as to time and scope and that request is vague, ambiguous and unintelligible, and that the request is not relevant to any party’s claim and defenses, not relevant and not reasonably calculated to lead to the discovery of admissible evidence, etc.” These objections are frivolous. First the request is clear. This case originated from a complaint made to EEOC. EEOC made a decision to give me the right to sue instead of making a decision against Defendant, based on Defendant’s communication with EEOC. This case is about my employment and my termination from employment; thus this request is reasonably calculated to lead to the discovery of admissible evidence. Please immediately produce the “EEOC file”. Please immediately produce them.
  
2. With respect to request for Production No. 2, where Plaintiff requested for records pertaining to applicants who were rejected before Yugandhar Chaparala OR ANY Indian National was hired, you indicated in your response that this is not relevant to the discovery of admissible evidence. This case is about discrimination based on nationality because Plaintiff is not of Indian descent. Plaintiff intends to prove that Yugandhar and other Indian

Nationals were favored over other applicants of different nationalities or Americans.

You further indicated that these are documents protected by attorney-client privilege. This objection is vague.

You also indicated that Caremore does not inquire into the national origin of its employees or applicants in making personnel decision. Production of the requested of documents should prove that this statement is true or NOT. Please immediately produce them.

3. With respect to request for Production No. 3, where Plaintiff requested for employment records ( pay, benefits, promotions, contracts) of all Indian Nationals and of Felix Orito regardless of employment status and nationalities. You indicated in your response that it overbroad and burdensome. This objection is frivolous. Employees' files are typically stored as electronic files and if there are hard copies, each employee, on average would have one folder of hard copies.

You further objected that these documents are not within Caremore's possession. Again this objection is frivolous. Any company would have employment documents of their employees or contractors. You further indicated that that Caremore does not inquire into the national origin of its employees or applicants. AGAIN, Production of the requested of documents should prove that this statement is true or NOT. Please immediately produce them.

4. With respect to request for Production No 4, where Plaintiff requested for documents regarding other employees/contractors' behavior complaints, evaluations, reprimands. You indicated in your response that defendant object on the grounds that this request is grossly overbroad and unduly burdensome, and has been propounded to vex, annoy and/or harass and that the request is not relevant to the case. These objections are frivolous. Plaintiff's goal is not to vex, annoy or harass but to prove that Plaintiff was wrongfully terminated on a smaller offense while other employees who has committed gross offenses and illegal schemes continued to be employed and even promoted. Please immediately produce them.
  
5. With respect to request for Production No 5. , where Plaintiff requested for documents regarding Saurin Mehta's communication with Defendant, its employees and contractors and with Cognizant and Cognizant's employees. You indicated in your response that defendant object on the grounds that this request is grossly overbroad and unduly burdensome, and has been propounded to vex, annoy and/or harass and that the request is not relevant to the case. These objections are frivolous. This case is about harassment and discrimination. Saurin Mehta was also reported to Human Resources of presenting the Plaintiff's work without the presence of the Plaintiff but the presence of two other Indian Nationals who had nothing to do with the project. It is the intention of the plaintiff that there are other incidents in which Saurin Mehta discussed Plaintiff's other work to other people and to Cognizant's employees/contractors.

POS-030

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		FOR COURT USE ONLY
<b>Olivia F. Gonzales</b> 2424 West Grand Ave Apt D Alhambra, CA 91804 Pro Per		
TELEPHONE NO.: (714)398-5043 FAX NO. (Optional): E-MAIL ADDRESS (Optional): olivia.gonzales.us@member.mensa.org		
ATTORNEY FOR (Name):		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: 312 North Spring Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012		
BRANCH NAME:		
<b>PETITIONER/PLAINTIFF:</b> Olivia F. Gonzales		
<b>RESPONDENT/DEFENDANT:</b> Caremore Health Plan		
<b>PROOF OF SERVICE BY FIRST-CLASS MAIL—CIVIL</b>		CASE NUMBER: CV 15-1499 ODW (FFMx)

*(Do not use this Proof of Service to show service of a Summons and Complaint.)*

1. I am over 18 years of age and not a party to this action. I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is:  
3508 West Mungall Drive Apt 2  
Anaheim, CA 92804
3. On (date): **6/3/2016** I mailed from (city and state): **Los Angeles, CA**  
the following documents (specify):  
Notice of Motion and Motion, Memorandum of Points and Authorities, Declaration

The documents are listed in the *Attachment to Proof of Service by First-Class Mail—Civil (Documents Served)* (form POS-030(D)).

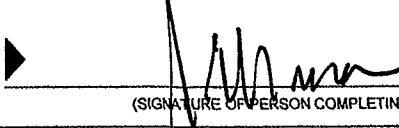
4. I served the documents by enclosing them in an envelope and (check one):
  - depositing the sealed envelope with the United States Postal Service with the postage fully prepaid.
  - placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
5. The envelope was addressed and mailed as follows:
  - a. Name of person served: Karen J. Pazzani / Young, Zinn & Bate
  - b. Address of person served:  
888 South Figueroa Street, Fifteenth Floor  
Los Angeles, California, 90017

The name and address of each person to whom I mailed the documents is listed in the *Attachment to Proof of Service by First-Class Mail—Civil (Persons Served)* (POS-030(P)).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

**6/03/2014**



(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

(SIGNATURE OF PERSON COMPLETING THIS FORM)